



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,171	09/24/2002	Heng-Hsiang Chang	9120-US-PA	4889

31561 7590 03/24/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

LEE, CHEUKFAN

ART UNIT PAPER NUMBER

2625

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/065,171	Applicant(s) CHANG ET AL.	
	Examiner Cheukfan Lee	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2627

1. Claims 1-18 are pending. Claims 1, 5, 10, and 14 are independent.

2. The abstract is objected to because of the following:

Lines 4, 8 and 11, "V-shape" should read – V-shaped --.

3. The specification is objected to because of the following minor informalities:

Page 1, paragraph 0002, line 2, "can be" should be changed to – is – in order to be definite because "can be" only means that the apparatus only can be utilized in scanners of different sizes" but does not meant that the apparatus is actually utilized in the scanners; and

line 3, "to scanners" should read – in --;

Page 2, paragraph 0010, lines 5, 8-9 and 13, "V-shape" should read – V-shaped --;

line 12, "can be" should be changed to – is --; and

paragraph 0011, lines 4-5 (two occurrences), 9, and 10, "V-shape" should read – V-shaped --.

Page 5, paragraph 0030, lines 3, 4 and 5, "V-shape" should read – V-shaped --.

...

Applicant should check for error such as those described above throughout the specification.

Art Unit: 2627

4. Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for an adjusting member for adjusting the position of the elastic member so that a shaft of a smaller diameter or a larger diameter is clipped between the elastic member and the V-shaped supporting surface, does not reasonably provide enablement for an adjusting member for adjusting the position of the elastic member so that a shaft of any diameter is clipped between the elastic member and the V-shaped supporting surface. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

Independent claims 1, 5, 10, and 14, and thus their dependent claims 2-4, 6-9, 11-13, and 15-18, respectively, each claim the limitation "the shaft of any diameter ...". In the specification, the adjusting member adjusts the space between the elastic member and the V-shaped supporting surface; however, the space is not adjusted to accommodate a shaft of any diameter. A shaft of any diameter includes a shaft of a diameter of 1 nanometer (nm), or a shaft of a diameter of 10 miles. This is just impossible in the apparatus.

In the specification, the phrases "a shaft of any diameter" and "any shaft" appear in the following places:

Page 2, paragraph 0008, line 2, in the Summary of the Invention;

Page 3, paragraph 0011, the last two lines, in the Summary of the Invention;

Page 10, paragraph 0051, line 6, in the Detailed Description; and

paragraph 0052, line 1.

None of the disclosed embodiments has support for a shaft of any diameter or any shaft.

5. The claims are objected to because of the following:

In claim 1, lines 5, 10 and 14, "V-shape" should read – V-shaped --; and
line 14, "can be" should be changed to – is – in order to be definite because "can be" means that the shaft only can be clipped between the elastic member and the V-shaped supporting surface but does not mean that the shaft is actually clipped between the two elements.

In claim 5, lines 5 and 13 of the claim, "V-shape" should read – V-shaped --; and
line 12, "can be" should be change to – is – in order to be definite for the reason given for claim 1, lines 5, 10 and 14.

In claim 10, lines 3, 8 and 12, "V-shape" should read – V-shaped --; and
line 13, "can be" should be changed to – is – in order to be definite for the reason given for claim 1, lines 5, 10 and 14.

In claim 14, lines 3 (two occurrences) and 11, "V-shape" should read – V-shaped --; and
line 10, "can be" should be changed to – is – in order to be definite for the reason given for claim 1, lines 5, 10 and 14.

Art Unit: 2627

6. Comparison of prior art and the claimed invention:

The closest prior art Lee (U.S. Patent No. 6,888,651), cited below, discloses a shaft holding apparatus (12, 13) adapted to slide along the shaft of a flatbed scanner, the shaft holding apparatus comprising a body (121-124, 12, 13, and 15) which has a V-shaped supporting surface, wherein the V-shaped supporting surface is along the axis of the shaft and supports the outer edge (where the shaft contacts the bevel surfaces 121 and 122) of the shaft. But Lee does not disclose an elastic member mounted on the body, wherein the elastic member is elastically contacting the outer edge of the shaft, the shaft is clipped between the elastic member and the V-shaped supporting surface, and an adjusting member is utilized to adjust the position of the elastic member as claimed in claim 1. Other independent claims 5, 10 and 14 each recite limitations with regard to the shaft holding apparatus similar to those of claim 1 discussed above.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee (U.S. Patent No. 6,888,651) discloses a scanner having a shaft holding apparatus (Figs. 2-4).

Tsai (U.S. Patent No. 6,005,685) discloses a transmission mechanism for a contact-type image scanner (Figs. 1-2B).

Tsai (U.S. Patent No. 5,999,277) discloses an image information reading apparatus having rolling elements interposed between a sheet table and a contact-type

image sensor (Figs. 2B and 3, note rail rods 3033 and 3036, and ball 2034 and cap 205 for holding the ball 2034).

Batten (U.S. Patent No. 6,771,399) discloses an injection-molded plastic positioning system for moving carriage flatbed scanner (Figs. 1-3).

Yokota et al. (U.S. Patent No. 7,016,088) discloses an image reading apparatus (Note shaft 103c and supporting apparatus).

Tsai (U.S. Patent No. 5,900,951) discloses a contact image sensor image reading apparatus.

Hong (U.S. Patent No. 6,005,686) discloses a supporting mechanism for a scanning module.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
March 21, 2006


Cheukfan Lee